

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
Inventor : Mark F. Bares

Appln. No.: 10/800,001

Filed : March 12, 2004

For : AUTOMATED ATTACHMENT  
VIBRATION SYSTEM

Docket No.: M297.12-0312

2005 OCT 31 PM 5:22

US PATENT & TRADEMARK  
OFFICE

Group Art Unit: 3671

Examiner: Alexandra  
K. Pechhold

**REQUEST FOR REFUND  
(37 C.F.R. 1.28(a))**

**Mail Stop 16**

Director of the U.S. Patent and  
Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
SENT BY U.S. MAIL, FIRST CLASS, TO THE  
DIRECTOR OF THE U.S. PATENT AND TRADEMARK  
OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-  
1450, THIS

27<sup>th</sup> DAY OF October, 2005.

*Bryan E. Eichen*

PATENT ATTORNEY

Sir:

Attached is a Monthly Statement of Deposit Account received from the United States Department of Commerce wherein \$180.00 was deducted for Application Serial Number 10/800,001 as a charge for filing a Supplemental Information Disclosure Statement. The \$180.00 amount was posted on September 12, 2005. It is requested that the full amount be refunded.

On August 30, 2005 a Supplemental Information Disclosure Statement was filed via U.S. mail, first class. A copy of the Supplemental IDS and return post card are enclosed (date stamped by the USPTO September 1, 2005). A statement meeting the conditions of 37 C.F.R. §1.97 was checked off stating that each item in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS. Specifically, the references were cited in an international search report having an indicated mailing date of June 2, 2005. Therefore, there should be no charge for the filing of this Supplemental Information Disclosure Statement.

This request for refund is made because the filing is believed to be timely. Therefore, a refund in the amount of \$180.00 is requested.

Please make refund by crediting Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: Bryan Erickson

Bryan F. Erickson, Reg. No. 51,655  
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BFE/djb

Receipt is hereby acknowledged by the Assistant Commissioner of  
Patents and Trademarks of the following items in the matter of:

Applicant : Mark F. Bares  
Serial No./Patent No.: 10/800,001  
Filed/Issued : March 12, 2004  
Title/Mark : AUTOMATED ATTACHMENT VIBRATION SYSTEM

1. Supplemental Information Disclosure Statement



Atty/Sec BFE/mek Date: 8/30/05 File No. M297.12-0312

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Mark F. Bares	
Appln. No.:	10/800,001	
Filed:	March 12, 2004	Group Art Unit: 3671
For:	Automated Attachment Vibration System	Examiner: Alexandra K. Pechhold
Docket No.:	M297.12-0312	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS  
BEING SENT BY U.S. MAIL, FIRST CLASS,  
TO THE COMMISSIONER FOR PATENTS,  
P.O. BOX 1450, ALEXANDRIA, VA 22313-  
1450, THIS

30<sup>th</sup> DAY OF August, 2005.  
Bryan E. Eubank  
PATENT ATTORNEY

Sir:

The patents or publications listed on the enclosed PTO Form-1449 are submitted pursuant to 37 C.F.R. §1.97. Copies of the patents or publications cited are enclosed, except as waived by the Official Gazette notice of August 5, 2003 regarding copies of U.S. patents and published applications.

Submitted herewith is a copy (with English translation as appropriate) of a communication relating to an international search report by the European Patent Office in counterpart international application No. PCT/US2005/006665 filed March 1, 2005.

**TIME OF FILING**

The information disclosure statement is being filed:

1.      with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. In accordance with 37 C.F.R. § 1.97(b), no statement or fee is required.

2. X after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or notice of allowance under 37 C.F.R. § 1.311.

Therefore, in accordance with 37 C.F.R. § 1.97(c), submitted herewith is:

(check either A or B below)

- A. X a statement meeting the conditions of 37 C.F.R. § 1.97(c)(1) and as specified in 37 C.F.R. § 1.97(e).  
B.    the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c)(2).

3.    after the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant petitions for consideration and submits herewith:

- A. a statement as specified in 37 C.F.R. § 1.97(e);  
B. the petition fee set forth in 37 C.F.R. § 1.17(p).

**STATEMENT COMPLYING WITH 37 C.F.R. § 1.97(e)**

(only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

- X that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(1).

OR

- that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(2).

**METHOD OF PAYMENT**

☒ No fee is required.

☐ Attached is a check in the amount of \$\_\_.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: Bryan Erickson

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FORM PTO-1449		Any. Docket No.: M297.12-0312	Appl. No.: 10/800,001
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		Inventors: Mark F. Bares	
		Filing Date	Group Art:
		March 12, 2004	3671

## U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
AA	5,287,699	2/22/94	Takamura & Onoda	60	327	
AB	6,757,992	7/6/04	Berger & Haupt	37	348	
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						
AL						
AM						
AN						

## FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country or Issuing Authority	Class	Sub Class	English Yes No
AO	EP 1,361,312 A	11/12/03	EPO			Yes
AP	JP 11 107325 A	4/20/99	Japan			Abstract only
AQ	JP 59 068446 A	4/18/84	Japan			Abstract only
AR	EP 0,471,840 A	2/26/92	EPO			Yes
AS						

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

United States Patent and Trademark Office  
- Sales Receipt -

09/12/2005 EKEY11 00000001 231123 10800001

01 FC:1806 180.00 DA

Adjustment Date: 12/06/2005 SDIRETA1  
09/12/2005 EKEY11 00000001 231123 10800001  
01 FC:1806 180.00 CR